

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: PROCESSED EGG PRODUCTS
ANTITRUST LITIGATION**

)
) **MDL NO. 2002**
) **08-md-2002**
)
)
) **Judge Gene Pratter**
)
)
)

**THIS DOCUMENT RELATES TO:
All Actions**

**DEFENDANT OHIO FRESH EGGS, LLC'S
MOTION FOR SUMMARY JUDGMENT**

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, Defendant Ohio Fresh Eggs, LLC ("OFE") respectfully requests that the Court grant summary judgment in its favor on all claims asserted by the Direct Purchaser Plaintiffs in the Third Consolidated Amended Class Action Complaint; all claims asserted by the Indirect Purchaser Plaintiffs in the Fifth Amended Consolidated Class Action Complaint; and all claims asserted by the Direct Action Plaintiffs in the respective operative complaints.

The grounds for this motion are more fully explained in its Memorandum in Support and Statement of Undisputed Facts, which are separately and contemporaneously filed under seal.¹ A proposed Order is attached to this motion for the Court's consideration.

Pursuant to Local Rule 7.1(f), the moving Defendant requests that the Court schedule oral argument on this motion.

¹ OFE has also joined in several joint motions for summary judgment, which are being separately filed.

Respectfully submitted,

/s/ Joseph M. Callow, Jr.

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CERTIFICATE OF SERVICE

I hereby certify that on July 2, 2015, the foregoing was filed electronically using the Court's electronic filing system. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Joseph M. Callow, Jr.

Joseph M. Callow, Jr.

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